

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action No. 3:23-cv-00347

MARKAYLE GRAY,

Plaintiff,

v.

CHARLOTTE SECONDARY SCHOOL,
INC., BOARD of DIRECTORS of
CHARLOTTE SECONDARY SCHOOL
INC.,

Defendants.

**MOTION FOR SUMMARY
JUDGMENT**

Defendants Charlotte Secondary School, Inc. and Board of Directors of Charlotte Secondary School Inc., by and through the undersigned counsel, and pursuant to Rule 56 of the Federal Rules of Civil Procedure, hereby respectfully moves the Court for an Order entering summary judgment upon all of Plaintiff's claims, as there are no genuine disputes as to any material fact and Defendants are entitled to judgment as a matter of law. Specifically, Plaintiff's claims should be dismissed because:

1. Plaintiff has not established sufficient evidence to support a prima facie case of discrimination to support his claims for violation of Title VII, Section 1981 Discrimination and Section 1983 Equal Protection and Defendants had a legitimate nondiscriminatory reason for terminating Plaintiff's employment.

2. Plaintiff's Section 1981 Discrimination Claim fails because Plaintiff cannot show that but for his race, his employment would not have been terminated.

In support of this motion, Defendants submits the concurrently filed Appendix of Exhibits and supporting Memorandum of Law.

WHEREFORE, Defendants pray that Plaintiff's claims be dismissed with prejudice and that summary judgment be granted in Defendants' favor.

Respectfully submitted this the 7th day of March, 2025.

HARTZOG LAW GROUP

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CERTIFICATE OF SERVICE

I hereby certify that on March 7, 2025, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send electronic notification to all registered CM/ECF participants.

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This the 7th day of March, 2025.

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